IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): L. D. Bergman et al.
Docket No.: YOR920030395US1
Serial No.: 10/697,752
Filing Date: October 30, 2003
Group: 2192
Examiner: Thuy Chan Dao

Title: Methods and Apparatus for Customizing User-Interface Control in Existing Application

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REMARKS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request review of the final rejection, dated September 5, 2008, of the above-identified application. No amendments are being filed with this request. A Notice of Appeal is submitted concurrently herewith.

The present application was filed on October 30, 2003 with claims 1-36. Claims 1-28 have been canceled without prejudice and claims 29-36 remain pending. Claims 29 and 36 are the pending independent claims.

In the final Office Action dated September 5, 2008, the Examiner: (i) rejected claims 29-36 under 35 U.S.C. §102(b) as being anticipated by S.A. Wolfman et al., "Mixed Initiative Interfaces for Learning Tasks: SMARTedit Talks Back" (hereinafter "Wolfman").

With regard to the §102(b) rejection of independent claims 29 and 36, Applicants contend that Wolfman fails to teach each and every limitations of the recited claims because Wolfman discloses techniques unrelated to the present invention. Wolfman proposes an interface for

machine learning that resembles a human teacher-student relationship. Wolfman, Abstract. Wolfman describes a variety of rich interaction modes that enhance the learning process and presents a decision-theoretic framework, called DIAManD, for choosing the best interaction. Id. The framework is applied specifically to SMARTedit and demonstrates experimental validation and preliminary user feedback. Id.

Independent claim 29 recites an apparatus for customizing a control of a user-interface of an existing application comprising: a memory; and at least one processor, coupled to the memory operative to: (i) record a procedure description comprising a series of actions performed by a user in the application user-interface; and (ii) customizing the control of the user-interface of the existing application by installing a user-interface control relating to the procedure description in the existing application for automatic execution of the procedure description and generation of the series of actions performed by the user when the user-interface control is activated. Independent claim 36 recites similar subject matter.

Applicants respectfully submit that Wolfman fails to disclose the recited limitations especially with regard to customizing the control of the user-interface of the existing application by installing a user-interface control relating to the procedure description in the existing application for automatic execution of the procedure description and generation of the series of actions performed by the user when the user-interface control is activated. First, Wolfman does not teach customizing the control of a user-interface of an existing application by installing a user-interface control relating to a procedure description in the existing application. Customizing a control of a user-interface of an existing application by installing a user-interface control is described in an illustrative embodiment of the specification at, for example, p. 8, ll. 15-18: "the request may be to add a new button to an existing toolbar within the application, to add a new toolbar containing a new button to the top-level application window, or to add a new item to an existing menu within the application interface." See also Specification, p. 5, ll. 16-21 (creating and adding new controls or modifying existing controls).

The Examiner argues that Wolfman shows a control of a user-interface of an existing application at Wolfman, FIG. 2 and that Wolfman teaches customizing the control of the user-interface of the existing application at Wolfman, FIG. 4. See Final Office Action, p. 4.

Specifically, the Examiner states at p. 4, ll. 13-16: "col. 12, FIG. 4, the customized control of SMARTedit user-interface now includes three new buttons and new Interaction Control Panel, wherein each interaction has its score and is represented by the darkness of its fonts and the bar gauges based on said score, col. 12: 12-38." Applicants submit that the change in buttons between FIG. 2 and FIG. 4 is not the same as customizing a control of a user-interface of an existing application as recited in the claims and supported in the specification.

Applicants submit that the Wolfman reference is being mischaracterized. Applicants reiterate that Wolfman discloses techniques for machine learning. Wolfman describes how a user demonstrates a task by starting a macro recorder. Wolfman, col. 5, ll.18-22. After the user demonstrates the task, the macro recorder is stopped and the computer predicts the user's next action. Wolfman, ll. 10-15. "The user interacts with the learning algorithm either by solving examples or by supervising the system's performance on an example." Wolfman, ll. 43-45. Applicants submit that Wolfman, FIGs. 2 and 4 depict interfaces with pre-programmed buttons to carry out this process. Wolfman is not interested in customizing controls of an existing user-interface, for example, a process of adding (e.g., installing) a button onto one of the disclosed control panels is not disclosed by Wolfman. Wolfman is concerned with presenting a way of training a computer to predict a task of a user. For instance, FIG. 4 shows three pre-programmed buttons, "Recording," "Bad Choice!," and "Done Recording." These buttons are used to train the computer to predict a user task. If the computer predicts a user task incorrectly, the user can interrupt and "rebuke" the computer by using the "Bad Choice!" button. Wolfman, col. 13, ll. 7-27. The computer may then make another prediction. Clearly, Wolfman's proposed process is not teaching the customization of a control of a user-interface of an existing application.

Applicants believe that the Examiner is misinterpreting Wolfman, col. 13, ll. 22-37; FIG. 4; and col. 12, l. 12 to col. 13, l. 6 to show installing a user-interface control relating to the procedure description in the existing application. Particularly, Wolfman at col. 13, ll. 22-27 states:

> SMARTedit's user interface was altered to display the interaction choices as a set of radio buttons. DIAMandD's scores for the interactions are displayed by the contrast of the font and a horizontal gauge to the right of each interaction (as

> shown in Figure 4). Finally, the "Bad Choice" button was added to allow users to rebuke DIAMandD's choice.

Applicants note that this statement does not teach customizing the control of the user-interface of an existing application as recited in the claims and supported in the specification. Wolfman is simply disclosing that Wolfman et al. altered the SMARTedit's user interface by adding radio buttons. To consider this a teaching of customization as recited in the claims is a mischaracterization of Wolfman.

Even if the Examiner were correct in believing that Wolfman disclosed the installation of a user-interface control in an existing application, Wolfman still does not teach the recited steps. Applicants note that the claims recite recording a procedure description comprising a series of actions performed by a user in the application user-interface and customizing the control of the user-interface of the existing application by installing a user-interface control relating to the procedure description in the existing application. Wolfman does not disclose the recording of a procedure description followed by a customization where a user-interface control related to the recorded procedure description is installed in the existing application (i.e., Wolfman is not recording a procedure description and then installing a user-interface control to carry out the record procedure description). Wolfman teaches a user demonstrating a task and the user using pre-installed buttons to teach a computer to predict the user's task.

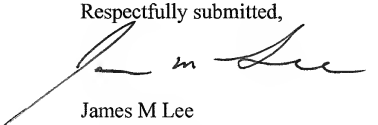
On a related note, Wolfman fails to teach that the installed user-interface control, when activated, automatically executes the procedure description and generates the series of actions performed by the user. Wolfman discloses the prediction of a user action rather than the generation of the series of actions performed by the user as recited in the claims. The generation of the series of actions is described in the specification at, for example, p. 6, ll. 4-11 ("These events simulate what the user would have done if she had activated the controls that were recorded during the recording phase. In effect, command player 112 is replaying the recorded procedure."). Applicants submit that predicting a user's actions is not the same as generating the series of actions performed by the user (e.g., replaying a recorded procedure). In fact, Wolfman associates a predicted user action with a probability of correction (Wolfman, col. 11, ll. 19-28), which confirms that Wolfman is not generating the series of actions performed by the user when

the user-interface control is activated, instead, Wolfman is making a computer guess the user's next action wherein each guess may be confirmed by the user. See Wolfman, col. 13, ll. 7-22.

For at least these reasons, Applicants assert that independent claims 29 and 36 are not anticipated by Wolfman. It follows that claims 30-35 are patentable at least by virtue of their respective dependencies from independent claim 29. Further, dependent claims 30-35 recite patentable subject matter in their own right and Applicants respectfully submit that the portions of Wolfman cited by the Examiner do not clearly teach the limitations of the dependent claims. For instance, Wolfman at col. 7, l. 40 to col. 8, l. 30; FIG. 4; and col. 12, l. 38 to col. 13 l. 21, do not teach transmitting and receiving with relation to a procedure capturer and an operating system as recited in claim 30. Also, Wolfman at col. 5, ll. 27-54 does not teach registering a procedure capturer with an operating system to receive notification of user actions and system actions as recited in claim 31. Further, Wolfman does not teach the specific steps of recording a procedure description as recited in claim 32, especially with regard to a procedure capturer as recited in the claim. Next, Wolfman does not teach the specific steps of installing a control or executing the installed control as recited in claims 33 and 34, respectively. Nor does Wolfman teach altering the appearance of at least one existing user interface control as recited in claim 35. Altering the appearance of at least one existing user interface control is described in one illustrative embodiment of the specification at, for example, p. 9, l. 26 to p. 10, l. 9.

In view of the above, Applicants believe that claims 29-36 are in condition for allowance, and respectfully request withdrawal of the §102(b) rejection.

Respectfully submitted,



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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)
YOR920030395US1

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Application Number	Filed
10/697,752	October 30, 2003

First Named Inventor
L.D. Bergman et al.

Art Unit	Examiner
2192	Thuy Chan Dao

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☑ attorney or agent of record.
Registration number 61,588

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

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December 4, 2008
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.